

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JAHMIL O. BARRETT,

Plaintiff,

ORDER

18-CV-2046 (MKB)

v.

LOCAL 804 UNION and UNITED PARCEL
SERVICE INC. (UPS),

Defendants.

MARGO K. BRODIE, United States District Judge:

Plaintiff Jahmil O. Barrett, proceeding *pro se*, commenced the above-captioned action on April 4, 2018, against the Local 804 Union (the “Union”), individual Union Defendants Eddie Villalta, Anthony Cirulli, and Joe Forcelli, United Parcel Service, Inc. (“UPS”), individual UPS Defendants Matt Hoffman, Doug Blunt, and Chris Travaglia, and the International Brotherhood of Teamsters, pursuant to section 8 of the National Labor Relations Act, 29 U.S.C. § 151 *et seq.* (“NLRA”), section 301 of the Labor Management Relations Act of 1947, 29 U.S.C. § 185 (“LMRA”), 42 U.S.C. § 1983, the applicable collective bargaining agreements, and section 10 of the Federal Arbitration Act, 9 U.S.C. § 10(a)(1) (the “FAA”).¹ (Compl., Docket Entry No. 1.)

By report and recommendation dated May 14, 2020, Magistrate Judge Lois Bloom recommended that the Court deny Plaintiff’s applications to file a fifth and sixth amended complaint (the “R&R”). (R&R, Docket Entry No. 131.)

¹ After allowing Plaintiff to amend the Complaint twice, on October 19, 2018, the Court granted Plaintiff leave to file the Third Amended Complaint, which named only UPS and the Union as defendants. (*See* Order dated Oct. 19, 2018; Third Am. Compl., Docket Entry No. 44.) On August 16, 2019, Plaintiff filed the Fourth Amended Complaint. (Fourth Am. Compl., Docket Entry No. 66.)

The Court has reviewed the R&R and all documents submitted by Plaintiff objecting to the R&R, (*see* Pl. Obj. to R&R, Docket Entry No. 134; Pl. Reply in Further Supp. of Pl. Obj., Docket Entry No. 137), as well the documents submitted by Defendants in response to Plaintiff's objections, (*see* Union Opp'n to Pl. Obj., Docket Entry No. 135; UPS Opp'n to Pl. Obj., Docket Entry No. 136).

For the reasons set forth in the well-reasoned and thorough R&R, the Court adopts the R&R and denies Plaintiff's motions to file a fifth and sixth amended complaint.

Dated: July 16, 2020
Brooklyn, New York

SO ORDERED:

MARGO K. BRODIE
United States District Judge